



**PARK CITY COUNCIL MEETING  
SUMMIT COUNTY, UTAH  
June 12, 2023**

The Council of Park City, Utah, will hold a special meeting in person at the Marsac Municipal Building, City Council Chambers, at 445 Marsac Avenue, Park City, Utah 84060. Meetings will also be available online with options to listen, watch, or participate virtually. [Click here](#) for more information.

**WORK SESSION**

2:30 p.m. - Planning Commission Interviews  
[Planning Commission Interviews Staff Report](#)

6:15 p.m. - Break

**SPECIAL MEETING - 6:30 p.m.**

**I. ROLL CALL**

**II. COMMUNICATIONS AND DISCLOSURES FROM COUNCIL AND STAFF**

Council Questions and Comments

Staff Communications Report

1. Child Care Land Use Regulations  
[Child Care Facilities Staff Report](#)

**III. PUBLIC INPUT (ANY MATTER OF CITY BUSINESS NOT SCHEDULED ON THE AGENDA)**

**IV. CONSENT AGENDA**

1. Request to Approve a Film Permit at the McPolin Barn in a Form Approved by the City Attorney  
[McPolin Barn Film Permit America Outdoors Staff Report](#)  
[Exhibit A: America Outdoors Film Application](#)  
[Exhibit B: Draft Film Permit McPolin Barn America Outdoors](#)

**V. OLD BUSINESS**

1. Consideration to Approve Ordinance No. 2023-17, An Ordinance Amending Land Management Code Section 15-6-8 *Unit Equivalents* and Section 15-15-1 *Definitions* Regarding Support Commercial and Residential and Resort Accessory Uses for Master Planned Developments Uses for the Recreation Open Space, General Commercial, and Light Industrial Zoning Districts  
(A) Public Hearing; (B) Action  
[Accessory Uses in Master Planned Developments Staff Report](#)  
[Exhibit A: Draft Ordinance No. 2023-17](#)  
[Exhibit B: Public Input](#)

**VI. CLOSED SESSION**

The Council may consider a motion to enter into a closed session for specific purposes allowed under the Open and Public Meetings Act (Utah Code § 52-4-205), including to discuss the purchase, exchange, lease, or sale of real property; litigation; the character, competence, or fitness of an individual; for attorney-client communications (Utah Code section 78B-1-137); or any other lawful purpose.

## **VII. ADJOURNMENT**

A majority of City Council members may meet socially after the meeting. If so, the location will be announced by the Mayor. City business will not be conducted. Pursuant to the Americans with Disabilities Act, individuals needing special accommodations during the meeting should notify the City Recorder at 435-615-5007 at least 24 hours prior to the meeting.

**\*Parking is available at no charge for Council meeting attendees who park in the China Bridge parking structure.**

## **Council Agenda Item Report**

Meeting Date: June 12, 2023

Submitted by: Michelle Kellogg

Submitting Department: Executive

Item Type: Work Session

Agenda Section: WORK SESSION

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### **Subject:**

2:30 p.m. - Planning Commission Interviews

### **Suggested Action:**

### **Attachments:**

[Planning Commission Interviews Staff Report](#)



## City Council Staff Report

**Subject:** Planning Commission Interviews  
**Author:** Michelle Downard  
**Department:** Executive Department  
**Date:** June 12, 2023  
**Type of Item:** Administrative

### Summary Recommendation

At the request of the Mayor, the City Council will briefly interview Planning Commission applicants to help appoint two open seats. City Council may also consider the appointment of alternate members to the Planning Commission.

### Background

The Planning Commission reviews and recommends many important land use applications, including Conditional Use Permits, Subdivision and Condominium Plats, and Master Planned Developments for consistency with the General Plan and Land Management Code.

The Park City Planning Commission consists of seven members who serve four-year staggered terms that expire on the second Wednesday in July. Members continue to serve until a successor is appointed. Members must be residents of Park City and reside within Park City for at least 90 days before being appointed.

Planning Commissioners	Term Expiration
John Kenworthy	Jul-23
Christin Van Dine	Jul-23
Sarah Hall	Jul-24
William (Bill) Johnson	Jul-24
Laura Suesser, Chair	Jul-25
Henry Sigg	Jul-26
John Frontero	Jul-26

[PCMC 15-12-1](#) establishes that Planning Commission members are appointed by the Mayor with the advice and consent of the City Council. The code also states that alternate members may be appointed. [PCMC 15-12-4](#) requires appointments to the Planning Commission are made on a basis to fairly represent the interests of all residents of the community. On [September 1, 2022](#), Council adopted Ordinance 2022-30, slightly amending Planning Commissioner qualifications as follows:

Members of the Planning Commission shall be residents of Park City and have resided within the City for at least ninety (90) days prior to being appointed. *There should be a priority for at least one Planning Commissioner to*

be a land use professional, including but not limited to experience in construction, planning, architecture, or real estate development.

### Analysis

Two serving Planning Commissioners, John Kenworthy, and Christin Van Dine, have terms ending in July 2023. No alternate members are currently appointed to the Planning Commission.

The two vacancies were advertised through the Park City Website, Park City Newsletter, Park Record Newspaper, and social media.

Fortunately, interest was strong, and thirteen eligible applications were received. They include Christin Van Dine, Elyse Kats, Esteban Nunez, Frank Karoly, Jacob Dewey, Mark McClure, Matthew Nagie, Michael Collins, Michael Fisher, Michael Wong, Molly Louthan, Rick Shand, and Vicki Zgodny.

Interview Schedule	
2:30	Christin Van Dine
2:45	Elyse Kats
3:00	Esteban Nunez
3:15	Frank Karoly
3:30	Matthew (Matt) Nagie
3:45	Michael Fisher
4:00	Molly Louthan
4:15	Vicki Zgodny
<b>4:30</b>	<b>Break</b>
5:00	Rick Shand
5:15	Jacob Dewey (virtual)
5:30	Mark McClure
5:45	Michael Wong
6:00	Michael (Mike) Collins

Consideration of appointments to the Planning Commission will return to City Council at a later date.

## **Council Agenda Item Report**

Meeting Date: June 12, 2023

Submitted by: Michelle Kellogg

Submitting Department: Executive

Item Type: Information

Agenda Section: WORK SESSION

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**Subject:**

6:15 p.m. - Break

**Suggested Action:**

**Attachments:**

## **Council Agenda Item Report**

Meeting Date: June 12, 2023

Submitted by: Michelle Kellogg

Submitting Department: Planning

Item Type: Staff Report

Agenda Section: COMMUNICATIONS AND DISCLOSURES FROM  
COUNCIL AND STAFF

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**Subject:**

Child Care Land Use Regulations

**Suggested Action:**

**Attachments:**

[Child Care Facilities Staff Report](#)

## City Council Staff Communication



**Subject:** Child Care Land Use Regulations  
**Author:** Rebecca Ward  
**Date:** June 12, 2023  
**Type of Item:** Informational

### Summary

Pursuant to Council direction, Planning is providing this Staff Communication outlining Child Care land use regulations. Child Care for up to eight children in the caretaker's primary residence is allowed in most Zoning Districts with few land use regulations. Child Care for more than eight children, and Child Care outside of the caretaker's primary residence, is allowed in all Zoning Districts except for Protected Open Space and requires additional criteria and review.

Land Management Code (LMC) [§ 15-15-1](#) defines Child Care as "the provision, day or night, of supplemental parental care, instruction and supervision for non-related child or children, on a regular basis, and for less than 24 hours a day. The term does not include babysitting services on a casual, non-recurring nature or in the child's own home nor cooperative, reciprocate Child Care by a group of parents in their respective domiciles."

LMC [§ 15-4-9](#) *Child Care and Child Care Facilities* establishes land use regulations for the four types of Child Care:

- In-Home Babysitting
- Family Child Care
- Family Group Child Care
- Child Care Centers

and outlines the following purpose:

*It is the intent of Park City to encourage the provision of child care, which meets the fluctuating needs and demands of the City's residents, employees, and employers. Health and safety, convenience, compatibility, affordability, and adaptability are of primary importance in the regulation of child care facilities. Accordingly, the City has adopted the following definitions and regulations that reflect state and national demographic and social trends while also reflecting the unique characteristics of Park City's population and economy.*

LMC [§ 15-4-9](#) requires the following for each type of Child Care:

**In-Home Babysitting** – the provision of Child Care for four (4) or fewer children within a dwelling and within commercial buildings outside of residential Zoning Districts (LMC [§ 15-15-1](#) *Definitions*). In-Home



Babysitting is allowed in all Zoning Districts as an Accessory Use, meaning no land use approvals are required (LMC [§ 15-4-9\(B\) Child Care and Child Care Facilities](#)).

**Family Child Care** – the provision of Child Care for up to eight (8) children, including the provider’s children who are under the age of eighteen (18), within the provider’s primary residence (LMC [§ 15-15-1 Definitions](#)). Family Child Care is allowed in Single-Family Dwellings and Duplexes in all Zoning Districts that allow Single-Family Dwellings and Duplexes subject to a Certificate of Occupancy issuance by the Chief Building Official and an Administrative Permit by the Planning Director. Family Child Care requires a Conditional Use Permit issued by the Planning Commission when located in a Multi-Unit Dwelling (LMC [§ 15-4-9\(C\) Child Care and Child Care Facilities](#)).

Requirements include:

- One parking space for each non-resident or non-family member employee
- Two drop-off/pick-up spaces, which may be street parking spaces if they are within 50 feet of the property and do not require crossing the street
- If located on an arterial street or state highway, off-street drop-off/pick-up area
- At least 240 square feet for play areas

**Family Group Child Care** – the provision of Child Care for nine (9) to sixteen (16) children, including the provider’s children who are under the age of eighteen (18), within the provider’s primary residence (LMC [§ 15-15-1 Definitions](#)). Family Group Child Care requires an Administrative Permit issued by the Planning Department in all non-residential Zoning Districts that allow for Dwellings and a Conditional Use Permit in residential Zoning Districts and for Multi-Unit Dwellings (LMC [§ 15-4-9\(D\) Child Care and Child Care Facilities](#)).

Requirements include:

- One parking space for each non-resident or non-family member employee
- Three drop-off/pick-up spaces for ten or fewer children
- Four drop-off/pick-up parking spaces for more than ten children
- Drop-off/pick-up may be street parking spaces if they are within 50 feet of the property and do not require crossing the street
- If located on an arterial street or state highway, off-street drop-off/pick-up area

- No more than one on any one street or within any 300-foot radius, whichever area is less, and no more than two within any 500-foot radius, unless in a commercial Zoning District like the Regional Commercial Overlay, General Commercial, Light Industrial, Historic Recreation Commercial, and Historic Commercial Business
- At least 360 square feet with an additional 40 square feet for each additional child over a minimum of nine for outdoor play areas
- Fencing, berms, shrubbery, or other screening between play areas and residential areas
- A neighborhood meeting to discuss the facility with property owners within 300 feet
- A one-year review by the Planning Commission may be required to review parking, noise, traffic law compliance, and conformance with required standards

**Child Care Center** – the provision of Child Care for four (4) or more children in a place other than the care provider's primary residence and for less than 24 hours per day. Child Care may be provided on a regularly scheduled, on-going enrollment basis or on an hourly, drop-in basis (LMC [§ 15-15-1 Definitions](#)). Child Care Centers are allowed in non-residential Zoning Districts and require a Conditional Use permit in the Recreation Open Space, Protected Open Space, Estate, Estate-40, Community Transition, and Regional Commercial Overlays. Child Care Centers may be allowed in residential Zoning Districts through a Conditional Use Permit or when approved within a Master Planned Development (LMC [§ 15-4-9\(E\) Child Care and Child Care Facilities](#)).

Location criteria include:

- Convenient access from main roads
- On the periphery of a subdivision or neighborhood
- Near a school, library, house of worship, or other neighborhood facility with large landscaped areas or playing fields
- Accessed by public transportation
- Within a subdivision or multi-unit dwelling designed to accommodate a Child Care Center

Requirements include:

- One parking space for each on-duty staff person per shift and one for every six children cared for
- On-site vehicle turnaround or separate entrance and exit points
- Passenger loading area
- Six-foot-high opaque fence installed around designated play areas with flexibility for certain landscaping
- Play areas must be in the side or rear yards
- No more than one is permitted in any residential subdivision or

multi-unit dwelling

- No more than one within 300 feet of a Family Group Child Care within the same neighborhood
- Minimum lot size with more than 16 children is 12,000 square feet (0.28 acres)
- Increased side and rear setbacks are required if located in a residential Zoning District
- No more than 50% of the outdoor play area may be within the setback, unless adjacent to perpetual open space or playing fields

Family Child Care, Family Group Child Care, and Child Care Centers require owner compliance with state licenses, certificates, child to caretaker ratios, play area requirements, health and safety regulations, and other state regulations outlined in the [Utah Administrative Code](#).

## **Council Agenda Item Report**

Meeting Date: June 12, 2023

Submitted by: Michelle Kellogg

Submitting Department: Sustainability

Item Type: Work Session

Agenda Section: CONSENT AGENDA

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### **Subject:**

Request to Approve a Film Permit at the McPolin Barn in a Form Approved by the City Attorney

### **Suggested Action:**

### **Attachments:**

[McPolin Barn Film Permit America Outdoors Staff Report](#)

[Exhibit A: America Outdoors Film Application](#)

[Exhibit B: Draft Film Permit McPolin Barn America Outdoors](#)

## City Council Staff Report

**Subject:** McPolin Barn Filming –America Outdoors  
**Author:** Jenny Diersen  
**Department:** Special Events  
**Date:** June 12, 2023  
**Type of Item:** Consent - Administrative

### Recommendation

Consider approving a Film Permit to be finalized by the Special Events Department at the McPolin Farm in a form approved by the City Attorney.

### Executive Summary

The [McPolin Farm Conditional Use Permit](#) (CUP) requires special events at the McPolin Farm to be processed by staff and reviewed for approval or denial by City Council.

Under Park City Code section [4A-2-12](#), filmmaking is considered a Special Event unless it does not create a substantial impact or require substantial City services. The Code requires those engaged in filmmaking to provide proof of insurance, a shooting schedule of events, written permission from property owners, and access to any set or site for code enforcement.

On April 27, 2023 ([report](#) p. 496 / [minutes](#) p. 17) Council received an update on events planned at the McPolin Farm this summer. Additional event proposals will be brought to City Council as required by the CUP.

### Analysis

On May 26 the Special Events Department received a Film Application for a [PBS series called America Outdoors with Baratunde Thurston](#). This series uses the outdoors as a vehicle to share deeper stories about various communities, social issues, and identities. Under this proposal, a resident will highlight the McPolin Barn as one of their favorite places in Park City.

The application meets the requirements of the CUP. We believe this filming will highlight everything the City and community have done for historic preservation and our natural environment. The Friends of the Farm met on Monday, June 5, reviewed the request, and supports the proposed activity. The McPolin Farm CUP limits the maximum number of events to 12 events a year. If City Council approves the Film Permit, this will count as the tenth event at McPolin Farm this year (with other events as approved at the April 27 meeting). Filming details include:

- Filming: June 16
- Timing: Morning. Breakdown by noon.
- Impacts: Minor Impacts – hand-held camera and tripod with a crew of 4. No parking impacts. The crew will park in the parking lot across from the McPolin Farm on Highway 224.
- Insurance and other requirements: The applicant has met the City's insurance requirements and agreed to sign our hold harmless.

- Use of the site: The applicant has not asked for the site's exclusive use, and the site will remain open for the normal enjoyment of the space. Additionally, the applicant does not propose to use any additional props, lighting, or decorations that would further impact the McPolin Farm.
- Fees: The applicant has agreed to pay fees associated with the use of the McPolin Farm, and the estimated fees are below.

This Film Permit includes other filming locations, including collecting b-roll throughout the City and a film shoot with the National Ability Center to highlight adaptive sports. These have been reviewed and approved administratively by the Special Events Department.

### **Funding**

The Applicant is willing to pay City Services, estimated at \$250, which will go to individual department line items in the General Fund.

### **Exhibits**

- A Film Application for American Outdoors
- B Draft Film Permit

# PARK CITY MUNICIPAL CORPORATION

## FILMING PERMIT APPLICATION



Special Events and Facilities  
Department  
435.615.5150  
stephanie.valdez@parkcity.org

Please submit a **COMPLETED** application to the Special Events and Facilities Department at [stephanie.valdez@parkcity.org](mailto:stephanie.valdez@parkcity.org) or fax to (435) 658- 9070 **no less than 14 Days prior to filming activity**. The application will be reviewed by the Special Events Department. Requests for placement of satellite trucks or use of public parking will require a request for [Special Use of Public Parking Application](#).

**This application DOES NOT constitute a valid permit until approved by the Special Events Department**

### COMPANY INFORMATION

Project Name:			
Production Company Name:			
Permanent Address:			
City:	State:	Zip Code:	Phone:
Local Production Office Address:			
Local Production Office Phone:			Fax:

### CONTACT INFORMATION

1. Producer:	Cell Phone:	Email:
3. Location Manager:	Cell Phone:	Email:

**This project will be filmed in the following general locations within Park City (check one – specific locations and addresses will be requested later in application):**

- |  |  |   |                                   |
|--|--|---|-----------------------------------|
| <input type="checkbox"/> Main Street – Sidewalk/Streets/R.O.W  | <input type="checkbox"/> Main Street – Interior – Private Property | <input type="checkbox"/> Interior                         | <input type="checkbox"/> Exterior |
| <input type="checkbox"/> Old Town Neighborhoods                | <input type="checkbox"/> Lower Deer Valley Neighborhoods           | <input type="checkbox"/> Upper Deer Valley Neighborhoods  |                                   |
| <input type="checkbox"/> Thayne's Canyon Neighborhood          | <input type="checkbox"/> Park Meadows Neighborhood                 | <input type="checkbox"/> Prospector Area Neighborhoods    |                                   |
| <input type="checkbox"/> Public Property, Streets or sidewalks |  | <input type="checkbox"/> Other as specified: Round Valley |                                   |

### **TO BE FILLED OUT BY PARK CITY SPECIAL EVENTS DEPARTMENT:**

Film Permit Fee: \_\_\_\_\_ Deposit Amount (if required) : \_\_\_\_\_

Payment Received: ☐ Yes (date)\_\_\_\_\_ Insurance received: ☐ Yes ☐ No

Filming Date/s: \_\_\_\_\_

Park City Municipal Corporation Approval

\_\_\_\_\_  
Special Events & Facilities Representative

\_\_\_\_\_  
Date

# PARK CITY MUNICIPAL CORPORATION FILMING PERMIT APPLICATION



Special Events and Facilities  
Department  
435.615.5150  
stephanie.valdez@parkcity.org

## GENERAL FILMING INFORMATION AND FEE CALCULATIONS

### This project is (check one):

- ☐ Feature Film    ☐ Music Video    ☐ Television Programming    ☐ Documentary  
☐ Corporate Video    ☐ Short Film    ☐ Public Service Announcement    ☐ Still Photography  
☐ TV Movie    ☐ Commercial    ☐ Educational  
☐ Other as specified:

### Please identify any equipment or props that may be present at any of your shooting locations:

- ☐ Generator    ☐ Light    ☐ Crane    ☐ Track    ☐ Dolly    ☐ Water Truck    ☐ Camera Car  
☐ Rig (stills)    ☐ Large prop    ☐ Set Design    ☐ Special Effects/Stunts  
☐ Other as specified: Drone

### Use the space below to itemize anticipated additional services:

- ☐ Police (Two weeks' notice required)    ☐ Water Permit    ☐ Fire Use Permit    ☐ Noise Variance  
☐ Fireworks or Explosives Permit    ☐ Lane closure    ☐ Temporary Structure permit  
☐ Request for use of Public Parking

Personnel	# OF PEOPLE
Cast	
Extras	
Crew	
<b>TOTAL</b>	

Administration Fee	# of Vehicles/Hours /Items	Fee Per Vehicles/ Hours/ Items	\$46.00
Vehicle Types : Production, Crew, Tow Cars or Shuttle Vans		\$6.00	
Trucks, Busses, Motorhomes, Trailers		\$ 30.00	
Barricade Use Fee ( if applicable)			
Public Parking Use Fee ( if applicable)			
Public Safety Use Fee -Per Hr. Per Officer (if applicable)		\$75.00	
Other Fees:			
<b>TOTAL</b>			



**PARK CITY MUNICIPAL  
CORPORATION  
FILMING PERMIT APPLICATION**



Special Events and Facilities  
Department  
435.615.5150  
stephanie.valdez@parkcity.org

**LOCATION DETAILS (Create copies if more than two locations)**

Location 1. Description				
Type of Location (Check One) <input type="checkbox"/> Private Property <input type="checkbox"/> City Parks or Trails <input type="checkbox"/> City Street, Public Right-of-Way, or other City Public Facilities				
Narrative of Activities (please attach additional information as necessary)				
Location Address				
Public Access to Location	Yes		No	

Location 1. Dates		
Activity Type	Date(s)	Time(s)
Prep		
Filming		
Strike		
Hold		

Location 2. Description    McPolin Farm				
Type of Location (Check One) <input type="checkbox"/> Private Property <input type="checkbox"/> City Parks or Trails <input type="checkbox"/> City Street, Public Right-of-Way, or other City Public Facilities				
Narrative of Activities (please attach additional information as necessary)				
Location Address				
Public Access to Location	Yes		No	

Location 2. Dates		
Activity Type	Date(s)	Time(s)
Prep		
Filming		
Strike		
Hold		



### **LOCATION & SITE INFORMATION DETAILS**

Please provide a **DETAILED** map of each location, which includes the following information relevant to your production:

- Location(s) of cameras and all equipment
- Lane restrictions, intermittent traffic control
- Sidewalk closures or intermittent pedestrian control
- Truck parking
- Crew parking
- Base camp
- Catering location
- Direction of moving vehicles for driving shots
- Indicate location of generators and other temporary structures
- Other information as requested

**MAPS WITHOUT THIS INFORMATION WILL NOT BE ACCEPTED FOR PROCESSING.**

**GENERAL RULES ON PAGE 5**

**SIGNATURE REQUIRED ON PAGE 5**

# PARK CITY MUNICIPAL CORPORATION

## FILMING PERMIT APPLICATION



Special Events and Facilities  
Department  
435.615.5150  
stephanie.valdez@parkcity.org

### GENERAL TERMS, CONDITIONS, AND RESTRICTIONS PERMITTEE AGREES TO THE FOLLOWING:

1. This permit must be in possession of the applicant at all times while on location and must be made available for inspection when requested by City authorities or the public.
2. Permittee agrees to comply with all applicable Federal, State, and local laws, regulations, ordinances, and rules. Vehicle code provisions and/or posted parking regulations will be enforced unless otherwise noted in this permit.
3. In the event that an authorized representative finds that the activities being conducted by the Permittee unnecessarily endangers the health and safety of any person or that said activities are or will cause damage to real or personal property, said representative, at his sole discretion, may suspend, cancel, or amend this permit. The City reserves the right to suspend, cancel, or amend this permit at any time without incurring any liability to the Permittee.
4. The Permittee must obtain a liability insurance policy naming Park City Corporation as "additionally insured", and also as the "certificate holder" during the event with a face value of at least \$4,000,000. The permit itself is invalid if a current insurance certificate is not by the Special Events and Facilities Office and approved prior to the date of the event.
5. This permit does not constitute nor grant permission to use or occupy property not belonging to, or under control of, Park City Corporation. Permission to use or occupy these properties must be obtained from the owner or controller of such property in addition to this permit. Proof of such permission may be required prior to issuance of a permit.
6. Permittee is responsible for obtaining the cooperation of the residents or owners of adjacent properties. Interference with movement or activities of these owners or residents should be as minimal as possible.
7. Permittee agrees to canvass the areas impacted by the filming 48 hours prior to filming, and businesses and residents notified, preferably in person, otherwise with flyers. Permittee is responsible for working out any conflicts or negative financial aspects.
8. Parking in any areas designated as "no parking", "loading zones", "emergency only", parking with any type of "restrictive definition", needs to be designated within the Film Permit Application.
9. A fire lane of twenty (20) feet must be maintained, allowing access through the length of closed and open roadways/streets. Access to the fire hydrant must be maintained; no parking within 5 feet on either side of the existing fire hydrants.
10. Permittee must place equipment in such a way that pedestrians have safe passage and access to other sidewalks and the building entrances. Any cords or any type of equipment must be placed so it will not interfere, obstruct, or cause harm in any way to the pedestrians.
11. All accesses, ramps, parking stalls, etc. authorized or duly marked for use of "handicapped" persons shall remain open and accessible.
12. Driveways and entrances shall allow for accessibility for emergency vehicles.
13. Permittee must comply with the Municipal Code Title 6, Chapter 3 Noise. The Code prohibits excessive or unusually loud noise between the hours of 10:00 p.m. to 7:00 a.m., and not before 9:00am on Sundays, in residential areas and between the hours of 10:00 p.m. and 6:00 a.m. in commercial areas.

As an appointed representative of the production company, I have read and agree to the terms of this filming permit for this and the following locations referenced to the production referred to. I understand I may have filming temporarily or permanently shut down if the requirements as set forth are not adhered to either intentionally or unintentionally.

#### APPLICANT:

Company Name: \_\_\_\_\_

Date: \_\_\_\_\_

Location Manager: \_\_\_\_\_

Signature: Paula Tami

**The above signed hereby personally covenants, guarantees and warrants that he/she has the power to obligate the filming company to the terms and conditions of this permit.**



## DRAFT - LEVEL TWO FILMING PERMIT

**Type of Permit:** Level 2 Filming Permit  
**Film Project Name:** America Outdoors with Baratunde Thurston  
**Film Date(s):** Monday, June 12, 2023  
Friday, June 16, 2023  
**Filming Time(s):** 9:00 am – 5:00 pm  
**Film Location:** Round Valley Trails (June 12) and McPolin Farm (June 16)  
**Permittee:** Outdoor America Productions, LLC  
**Contact Person:** Madeline Turrini  
973-202-6854 / [madelinet@part2pictures.com](mailto:madelinet@part2pictures.com)  
**Approved By:** City Council of Park City  
**Approval Date:** June 12, 2023

America Outdoors with Baratunde Thurston is to be filmed in two parts: Monday, June 12 at various Round Valley Trails and Friday, June 16 at McPolin Farm. A Site Map, Operations Plans, Insurance and Hold Harmless Waiver shall be attached to this permit as an exhibit. This Level Two Filming Permit has been issued under the authority described within the Park City Municipal Code Section 4A based on the following Findings of Fact, Conclusions of Law, and Conditions of Approval:

### Findings of Fact:

- 1) America Outdoors with Baratunde Thurston will be filmed on Monday, June 12 and Friday, June 16 at Round Valley Trails and McPolin Farm, respectively.
- 2) Per section [4A-2-12](#) of the Park City Municipal Code, film-making shall be considered Special Events.
- 3) Per section [4A-1-1.11\(A\)](#), America Outdoors with Baratunde Thurston is a Special Event based on the following:
  - a) The activity is a unique activity occurring for a limited duration that impacts the City by involving the use of, and having impact on, City property, and requiring City licensing or services beyond the scope of normal business. It is an outdoor, temporary event that does not normally occur with the permitted Venue use, and creates public impacts through the following:
    - (i) Use of City property, facilities, and trails.
- 4) Per section [4A-1-1.11\(B\)](#), the event is a Level Two event due to:
  - a) The event occurs on multiple days; and
  - b) Has minor impact to surrounding areas and can be held within existing Venue/use area; and
  - c) Does not require public safety staffing beyond normal operations.
- 5) America Outdoors with Baratunde Thurston is a New Event and did not exist on the 2022 event calendar.

- 6) The second day of filming (June 16) takes place during a Local Time Period (Third Weekend in June—Juneteenth Weekend Friday through Monday), however, Level Two Events may be considered during a Local Time per section [4A-2-3\(F\)](#).
- 7) The City restricts the number of Special Event Permits annually, however, there is no restriction on Level Two Events.
- 8) The filming will not substantially interrupt or prevent the safe and orderly movement of public transportation or other vehicular and pedestrian traffic in the area of its Venue.
- 9) The filming will not require the diversion of so great a number of police, fire, or other essential public employees from normal duties as to prevent reasonable police, fire, or other public services protection to the remainder of the City.
- 10) The filming will not unduly interfere with the movement of police, fire, ambulance, and sother emergency vehicles on the streets or with the provision of other public health or safety services.
- 11) There are no other Event or Film Permits that have been granted in Park City Limits for Monday, June 12, 2023. There is one Special Event that has been permitted within Park City Limits on Friday, June 16 (Skate Park Concert Series), however, there is no direct conflicts between these events; therefore, America Outdoors with Baratunde Thurston will not interfere with the provision of City services in support of other events or governmental functions.
- 12) The filming does not create an imminent possibility of violent or disorderly conduct likely to endanger public safety or cause significant property damage.
- 13) The filming does not partner with a Disruptive Technology.
- 14) This application was submitted by Madeline Turrini of Outdoor America Productions LLC. Madeline has worked with City Staff to ensure that all conditions of the filming will be met. The permittee has demonstrated an ability and willingness to conduct the event pursuant to the terms and conditions of the Park City Municipal Code and has never failed to conduct a previously authorized event in accordance with the law or the terms of a license, or both.

#### Conclusions of Law:

- 1) The application is consistent with the requirements of the Park City Municipal Code, Title 4A, Chapter 2.

#### Conditions of Approval:

- 1) The permittee shall ensure that all activities abide by the laws and parameters set forth by Standards for Permit Approval, section [4A-2-4](#).
- 2) All plans for tents and other temporary structures as well as flammable materials must be submitted and approved by the Building Department.
- 3) The permittee shall provide all required permits required by local agencies, along with any associated fees and must abide by all City and Land Management Codes.
- 4) The permittee is responsible for securing all City, County, and State permit approvals required for this event shall be secured by no later than the Friday before the event date and submitted to Park City Municipal.
- 5) The approval identification provided with the approval of this permit must be in possession of the permittee at all times while on location and must be made available for inspection when requested by City authorities or the public.
- 6) The permittee shall provide to the Special Events Manager, proof of liability insurance in the amount required by the Special Events Manager of the City Attorney's Office and shall further name Park City Municipal Corporation as additional insured. The permittee shall further indemnify the City from liability occurring at the event except for

any claim arising out of the sole negligence or intentional torts of the City or its employees.

- a) Commercial general liability required: \$2,000,000 per occurrence/  
\$4,000,000 aggregate
  - b) Auto liability required: \$2,000,000 per occurrence (owned/non-owned – any auto)
  - c) Workers Compensation coverage in the amount of \$1,000,000 per accident, \$1,000,000 disease each employee, and \$1,000,000 disease policy limit
  - d) Park City Municipal Corporation is hereby named an additional insured. For any claims related to this permit, the permittee's insurance coverage shall be primary insurance coverage as respect to PCMC, its officers, officials, employees, and volunteers. Any insurance or self-insurance maintained by PCMC, its officers, officials, employees, or volunteers shall be in excess of the permittee's insurance and shall not contribute to it. The Workers' Compensation policy shall be endorsed with a waiver of subrogation in favor of the Entity for all work performed by the permittee, its employees, agents, and subcontractors
- 7) No vehicles shall be parked on the McPolin Farm lot or road or on the entry drive off of SR 224
- 8) Permittee shall be solely responsible for loss or damage to the McPoin Farm complex, buildings and equipment. The permittee shall reimburse the City for all damages to the facilities and/or property resulting from such use other than ordinary wear and depreciation. The permittee shall be solely responsible for loss or damage to property or injury or death of any person or persons arising out of, or connected in any way with the use of the McPolin Farm complex.

APPROVED this Thursday, the 12<sup>th</sup> Day of June 2023.

PARK CITY MUNICIPAL CORPORATION



Heather Weinstock | Special Events Coordinator  
[heather.weinstock@parkcity.org](mailto:heather.weinstock@parkcity.org)  
435.659.5945

## Council Agenda Item Report

Meeting Date: June 12, 2023

Submitted by: Michelle Kellogg

Submitting Department: Planning

Item Type: Staff Report

Agenda Section: OLD BUSINESS

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### Subject:

Consideration to Approve Ordinance No. 2023-17, An Ordinance Amending Land Management Code Section 15-6-8 *Unit Equivalents* and Section 15-15-1 *Definitions* Regarding Support Commercial and Residential and Resort Accessory Uses for Master Planned Developments Uses for the Recreation Open Space, General Commercial, and Light Industrial Zoning Districts  
(A) Public Hearing; (B) Action

### Suggested Action:

### Attachments:

[Accessory Uses in Master Planned Developments Staff Report](#)

[Exhibit A: Draft Ordinance No. 2023-17](#)

[Exhibit B: Public Input](#)

# City Council Staff Report



**Subject:** Accessory Uses in  
Master Planned Developments  
**Application:** PL-22-05447  
**Author:** Rebecca Ward, Assistant Planning Director  
**Date:** June 12, 2023  
**Type of Item:** Legislative – Land Management Code Amendments

## Recommendation

(I) Review proposed amendments to the Land Management Code regarding Accessory Uses in Master Planned Developments outlined in Draft Ordinance No. 2023-17 (Exhibit A); (II) conduct a public hearing; and (III) consider approving Ordinance No. 2023-17.

## Background

Commercial development 10,000+ square feet and residential development 20,000+ square feet requires a Master Planned Development (MPD) and review by the Planning Commission pursuant to Land Management Code (LMC) [Chapter 15-6](#). LMC [§ 15-6-5\(A\)](#) *Master Planned Development Requirements – Density* states:

*The Planning Commission shall approve the type of Development, number of units, and Density permitted on a given Master Planned Development Site based on a Site Suitability Analysis. The Master Planned Development shall not exceed the maximum Density in the Zoning District, except as otherwise provided in this Section.*

LMC [§ 15-6-8](#) *Unit Equivalents* establishes a formula for MPD Density:

- 1,000 square feet of commercial use is one Unit Equivalent
- One Single-Family Lot or 2,000 square feet of Multi-Unit Dwelling residential use is one Unit Equivalent

LMC [§ 15-6-8](#) *Unit Equivalents* outlines allowances for Support Commercial Uses and exempts certain Residential and Resort Accessory Uses<sup>1</sup> from counting toward the total Unit Equivalents within an MPD. These Accessory Uses are intended to provide services and support uses for patrons, employees, and residents within the development, and not the general public.

The Accessory Use exemptions from Unit Equivalents present challenges for some MPD reviews. Caps that were established in the early regulations for Accessory Uses in MPDs contained parameters but were removed over time, resulting in substantial

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<sup>1</sup> LMC [§ 15-15-1](#) defines an *Accessory Use* as a land Use that is customarily incidental and subordinate to the primary Use located on the same Lot.



allowances for some MPDs with increased mass and bulk of proposed projects. Additionally, Accessory Uses pose a potential risk that what was originally intended for patrons, employees, and residents already on site may eventually be opened to the general public over time without mitigating impacts like increased traffic and parking, and without contributing to affordable housing obligations pursuant to the City's [Housing Resolution No. 05-2021](#).

Planning Commission liaisons Laura Suesser and Henry Sigg provided preliminary input on proposed amendments. Additionally, staff reached out to ten resort towns and learned that Park City's allowances for Accessory Uses are more permissive in general. On December 14, 2022 ([Staff Report](#); [Minutes](#), p. 25), and February 8, 2023 ([Staff Report](#); [Minutes](#), p. 21), the Planning Commission conducted work sessions on Accessory Uses in Master Planned Developments. The Planning Commission was scheduled to conduct a public hearing on March 22, 2023, but continued the item to April due to a late meeting ([Staff Report](#); [Audio](#)). On April 12, 2023, the Planning Commission made final adjustments to the proposed amendments, conducted a public hearing, and unanimously forwarded a positive recommendation to the City Council ([Staff Report](#); [Audio](#)).

On April 27, 2023, the City Council reviewed the proposed amendments and continued the discussion to June 12, 2023, requesting clarification on Support Commercial Uses for Hotels and consistency in Child Care Facility references, addressed below ([Staff Report](#); [Minutes](#), p. 18).

The recommended amendments for (I) Support Commercial Uses, (II) Residential Accessory Uses, and (III) Resort Accessory Uses are outlined below. Additionally, (IV) the *Uses* tables for the Recreation and Open Space, General Commercial, and Light Industrial Zoning Districts are updated to connect Resort Support Commercial Uses to approved Master Planned Developments.

## **Analysis**

The LMC implements the goals and policies of the General Plan in part to protect and enhance the vitality of the City's resort-based economy, the overall quality of life, the historic character, and the unique mountain town community.<sup>2</sup> The Planning Commission reviews LMC amendments and forwards a recommendation to City Council for final action.<sup>3</sup>

Proposed amendments to clarify Accessory Uses within MPDs are outlined below:

### **(I) Support Commercial Uses**

When the MPD process was first established in the 1980s, the LMC allowed Support Commercial Facilities, which were defined as commercial uses oriented toward the

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<sup>2</sup> LMC [§ 15-1-2](#)

<sup>3</sup> LMC [§ 15-12-15\(A\)\(3\)](#)

internal circulation of the development “for the purpose of serving the needs of the residents or users of that development, and not the general public or persons drawn from off the site of the Master Planned Development.” The definition included examples like barber shops, beauty salons, travel agencies, clothing stores, gift shops, convenience stores, art galleries, auto rentals, camera stores, liquor stores, pharmacies, sporting goods stores, day care nurseries, information centers, tennis or golf pro shops or other hotel lobby uses.

Each Support Commercial Facility was capped to no more than 2,000 gross square feet of floor area and the total Support Commercial Facilities were capped to no more than 10% of the total gross floor area. Signage for Support Commercial Facilities could only be visible from within the development. The 1980s LMC also allowed up to 5% of the total floor area to be dedicated to meeting spaces.

The definition of *Support Commercial Use* has been slightly modified since the 1980s, but still establishes the requirement that the Use serve the needs of residents or users of the development. LMC [§ 15-15-1 Definitions](#) outlines the following:

**Commercial Use, Support.** A Commercial Use oriented toward the internal circulation of a Development, for the purpose of serving the needs of the residents or users of that Development, and not Persons drawn from Off-Site.

When the City re-wrote the LMC in the early 2000s, the LMC continued to allow within a Residential MPD for a Hotel or Nightly Rental condominium up to 5% of the total floor area for Support Commercial and 5% of the total floor area for meeting spaces. This has not changed. LMC [§ 15-6-8\(C\) Unit Equivalents](#) currently establishes the following for residential MPDs:

**SUPPORT COMMERCIAL WITHIN RESIDENTIAL MASTER PLANNED DEVELOPMENTS.** Within a Hotel or Nightly Rental condominium project, the Floor Area of Support Commercial uses may not exceed five percent (5%) of the total Floor Area of the approved residential Unit Equivalents. Any unused support commercial floor area may be utilized for meeting space Uses.

And LMC [§ 15-6-8\(D\) Unit Equivalents](#) further allows the following:

**MEETING SPACE.** Within a Hotel or Condominium project, Floor Area of meeting space may not exceed five percent (5%) of the total Floor Area of the approved residential unit equivalents. Any unused meeting space floor area may be utilized for support commercial uses within a Hotel or Nightly Rental Condominium project.

The proposed amendments remove the term “Nightly Rental Condominium” and allow Support Commercial for Hotels only. The LMC does not define “Nightly Rental

Condominium.” LMC [§ 15-15-1](#) defines a Hotel as “[a] Building containing sleeping rooms for the occupancy of guests for compensation on a nightly basis that includes accessory facilities such as restaurants, bars, spas, meeting rooms, on-site check-in lobbies, recreation facilities, group dining facilities, and/or other facilities and activities customarily associated with Hotels, such as concierge services, shuttle services, room service, and daily maid service. Hotel/Motel does not include Nightly Rental Condominium projects without restaurants, bars, spas, and on-site check-in lobbies . . . Hotels are considered a lodging Use and ownership of units may be by a condominium or timeshare instrument.”

The Planning Commission removed “Nightly Rental Condominium” from the Support Commercial Allowance because Multi-Unit Dwellings that may allow Nightly Rentals pursuant to underlying zoning, but may include primary and secondary residents, have proposed Support Commercial allowances. Allowing Support Commercial for Hotels—which includes those operating under one ownership or condominium or timeshare ownership—provide services for public guests.

The proposed amendments also reinstate signage and size restrictions that were removed from the code in the early 2000s, and further refine and restrict Support Commercial Uses to ensure future approvals are limited to those already on site:

- Limit signage to interior spaces
- Limit marketing to existing primary uses on site
- Remove meeting space allowances
- Limit to a Hotel
- Capture affordable housing obligations for employees generated
- Tie the maximum square footage to a 5,000-square-foot cap
- Prohibit Conventional Chain Businesses

(See Exhibit A, redlines 29 – 39)

## **(II) Residential Accessory Uses**

The 2002 LMC update further exempted administrative and banquet offices, as well as Residential Accessory Uses from Unit Equivalents. There is no square footage or percentage cap for Residential Accessory Uses. LMC [§ 15-15-1](#) *Definitions* does not define Residential Accessory Uses. However, LMC [§ 15-6-8\(F\)](#) *Unit Equivalents* includes the following description:

**RESIDENTIAL ACCESSORY USES.** Residential Accessory Uses include typical back of house uses and administration facilities that are for the benefit of the residents of a commercial Residential Use, such as a Hotel or Nightly Rental Condominium project and that are common to the residential project and are not located within any individual Residential unit. Residential Accessory Uses do not require the use of Unit Equivalents and include, but are not limited to, such Uses as:

Ski/Equipment lockers  
Lobbies  
Registration  
Concierge  
Bell stand/luggage storage  
Maintenance Areas  
Mechanical rooms and shafts  
Laundry facilities and storage  
Employee facilities  
Common pools, saunas and hot tubs, and exercise areas not open to the public  
Telephone Areas  
Guest business centers  
Public restrooms  
Administrative offices  
Hallways and circulation  
Elevators and stairways

The proposed amendments:

- Limit Residential Accessory Uses to functional spaces and clearly define these spaces
- Add Child Care Facilities to the list
- Add Enclosed Bicycle Storage that exceeds the requirements of Section 15-3-9

(See Exhibit A, redlines 50 – 76)

### **(III) Resort Accessory Uses**

The 2002 LMC added exceptions from Unit Equivalents for Resort Accessory Uses, with no square footage or percentage cap.

The General Plan and recommended strategies acknowledge the need for flexibility with resort development, while preserving the City's core values. Goal 11 of the General Plan is to support the continued success of the multi-seasonal tourism economy while preserving the community character that adds to the visitor experience. Objective 11A states the vibrancy of Park City's resorts is essential to the success of resort support businesses and the City must provide flexibility to allow the primary resorts to evolve with the tourism industry, increase occupancy rates year round, and create more demand for the resort support industries throughout the City. Objective 11B is to preserve our community core values of Small Town, Natural Setting, Sense of Community, and Historic Character to maintain the unique Park City experience for visitors and residents.<sup>4</sup> The Planning Commission recommends amendments to

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<sup>4</sup> General Plan Volume I, [Sense of Community](#), p. 20 – 22

balance Unit Equivalents exceptions for Resort Accessory Uses by refining uses to those that are aimed at providing support for those on site.

LMC [§ 15-15-1](#) *Definitions*, while defining *Resort Support Commercial Use* and *Resort Support Commercial* as shown above, does not define Resort Accessory Uses. LMC [§ 15-6-8\(G\)](#) *Unit Equivalents* includes the following:

**RESORT ACCESSORY USES.** The following Uses are considered accessory for the operation of a resort for winter and summer operations. These Uses are considered typical back of house uses and are incidental to and customarily found in connection with the principal Use or Building and are operated for the convenience of the Owners, occupants, employees, customers, or visitors to the principal resort Use. Accessory Uses associated with an approved summer or winter resort do not require the Use of a Unit Equivalent. These Uses include, but are not limited to, such Uses as:

Information  
Lost and found  
First Aid Mountain patrol  
Administration  
Maintenance and storage facilities  
Emergency medical facilities  
Public lockers  
Public restrooms  
Employee restrooms, employee locker rooms, employee break rooms,  
and employee dining areas  
Ski school/day care facilities  
Instruction facilities  
Ticket sales  
Equipment/ski check  
Circulation and hallways for these Resort Accessory Uses

The proposed amendments:

- Require Planning Commission review and approval of Resort Accessory Uses and maximum square footage
- Capture affordable housing obligations and parking and traffic impacts
- Remove uses required for business operations, including information, lost and found, storage facilities, ski school, and ticket sales
- Remove terms like “instruction facilities” that could be broadly interpreted
- Remove the term “day care facilities” and update with the defined Child Care Facilities

## (IV) Resort Support Commercial

Support Commercial is also defined for the resorts. [§ 15-15-1](#) *Definitions* outlines the following:

**Commercial Use, Resort Support.** A Commercial Use that is clearly incidental to, and customarily found in connection with, the principal resort Use, and which is operated and maintained for the benefit or convenience of the Owner, occupants, employees, customers of, or visitors to, the principal Use.

**RESORT SUPPORT COMMERCIAL.** Use that is clearly incidental to, and customarily found in connection with, the principal Building or Use, and that is operated and maintained for the benefit and convenience of the Owners, occupants, employees, customers, or visitors to the principal Use or Building.

However, LMC [Chapter 15-6](#) outlining MPD regulations is silent regarding Resort Support Commercial. Resort Support Commercial is established through the Park City Mountain Resort and Deer Valley Development Agreements specific to each project.

Resort Support Commercial uses are allowed in the Recreation Open Space,<sup>5</sup> Residential Development,<sup>6</sup> Residential Development Medium,<sup>7</sup> Regional Commercial Overlay,<sup>8</sup> General Commercial,<sup>9</sup> and Light Industrial<sup>10</sup> Zoning Districts. All Zoning Districts that allow for Resort Support Commercial establish it as a Conditional Use, requiring Planning Commission review, and include a footnote stating the Resort Support Commercial must be approved as part of an MPD except for the Recreation Open Space, General Commercial, and Light Industrial Zoning Districts.

The proposed amendments update the *Uses* Section of the Recreation Open Space, General Commercial, and Light Industrial Zoning Districts to add a footnote that Resort Support Commercial may only be allowed when part of an MPD approval.

### **Department Review**

The Planning Department and City Attorney's Office reviewed this report.

### **Public Input**

Please see Exhibit B.

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<sup>5</sup> LMC [§ 15-2.7-2\(C\)\(19\)](#)

<sup>6</sup> LMC [§ 15-2.13-\(B\)\(22\)](#)

<sup>7</sup> LMC [§ 15-2.14-2\(B\)\(22\)](#)

<sup>8</sup> LMC [§ 15-2.17-2\(B\)\(26\)](#)

<sup>9</sup> LMC [§ 15-2.18-2\(A\)\(23\)](#)

<sup>10</sup> LMC [§ 15-2.19-2\(A\)\(18\)](#)

### **Alternatives**

- The City Council may adopt Ordinance No. 2023-17 as recommended by the Planning Commission
- The City Council may modify and adopt Ordinance No. 2023-17
- The City Council may deny Ordinance No. 2023-17
- The City Council may continue the discussion to a date certain

### **Exhibits**

Exhibit A: Draft Ordinance

Exhibit B: Public Input

**Ordinance No. 2023-17**

**AN ORDINANCE AMENDING LAND MANAGEMENT CODE SECTION 15-6-8 *UNIT EQUIVALENTS* AND SECTION 15-15-1 *DEFINITIONS* REGARDING SUPPORT COMMERCIAL AND RESIDENTIAL AND RESORT ACCESSORY USES FOR MASTER PLANNED DEVELOPMENTS AND SECTIONS 15-2.7-2 *USES FOR THE RECREATION AND OPEN SPACE ZONING DISTRICT*, 15-2.18-2 *USES FOR THE GENERAL COMMERCIAL ZONING DISTRICT*, AND 15-2.19-2 *USES FOR THE LIGHT INDUSTRIAL ZONING DISTRICT* TO CLARIFY RESORT SUPPORT COMMERCIAL IS ALLOWED WHEN APPROVED AS PART OF A MASTER PLANNED DEVELOPMENT**

WHEREAS, the Land Management Code implements the goals and policies of the General Plan in part to protect and enhance the vitality of the City's resort-based economy, the overall quality of life, the historic character, and the unique mountain town community;

WHEREAS, the Land Management Code promotes the general health, safety, and welfare of the present and future inhabitants, businesses, and visitors of the City;

WHEREAS, the Land Management Code outlines allowances for Support Commercial Uses and exempts certain Residential and Resort Accessory Uses from counting toward the total Unit Equivalents within a Master Planned Development; these Accessory Uses are intended to provide services and support uses for patrons, employees, and residents within the development, and not for the general public;

WHEREAS, the Accessory Use exemptions from Unit Equivalents presents challenges for Master Planned Development review because they may result in increased mass and bulk of a project and over time, and uses intended for patrons, employees, and residents on site may be opened to the general public without mitigating impacts like increased traffic and parking, and without contributing to affordable housing obligations;

WHEREAS, on December 14, 2022, and February 8, 2023, the Planning Commission conducted work sessions on the proposed amendments;

WHEREAS, on April 12, 2023, the Planning Commission conducted a duly noticed public hearing and unanimously forwarded a positive recommendation on the proposed Land Management Code amendments to the City Council;

WHEREAS, on April 27, 2023 and June 12, 2023, the City Council conducted duly noticed public hearings on the proposed Land Management Code amendments.

NOW, THEREFORE BE IT ORDAINED by the City Council of Park City, Utah, as follows:



SECTION 1. AMEND MUNICIPAL CODE OF PARK CITY TITLE 15 LAND  
MANAGEMENT CODE.

The recitals are incorporated herein as findings of fact. Municipal Code of Park City Title 15 Land Management Code Section 15-6-8 *Unit Equivalents*, Section 15-15-1 *Definitions*, Section 15-2.7-2 *Uses* for the Recreation and Open Space Zoning District; Section 15-2.18-2 *Uses* for the General Commercial Zoning District; and Section 15-2.19-2 *Uses* for the Light Industrial Zoning District are hereby amended as outlined in Attachment 1.

SECTION 2. EFFECTIVE DATE. This Ordinance shall be effective upon publication.

PASSED AND ADOPTED THIS 12th day of June 2023.

PARK CITY MUNICIPAL CORPORATION

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Nann Worel, Mayor

Attest:

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City Recorder

Approved as to form:

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City Attorney's Office

## Attachment 1

### **15-6-8 Unit Equivalents**

Density of Development is a factor of both the Use and size of Structures built within a project. In order to allow for, and to encourage, a variety of unit configurations, Density shall be calculated on the basis of Unit Equivalents. Unless otherwise stipulated, one (1) Unit Equivalent equates to one (1) single family Lot, 2,000 square feet of Multi-Family Dwelling floor area, or 1,000 square feet of commercial or office floor area. A duplex Lot equates to two (2) Unit Equivalents, unless otherwise stipulated by the Master Planned Development (MPD). The MPD may stipulate maximum Building Footprint and/or maximum floor area for single family and duplex Lots. Residential Unit Equivalents for Multi-Family Dwellings shall be calculated on the basis of one (1) Unit Equivalent per 2,000 square feet and portions of Unit Equivalents for additional square feet above or below 2,000. For example: 2,460 square feet of a multi-family unit shall count as 1.23 Unit Equivalents.

Affordable Housing units required as part of the MPD approval, and constructed on Site do not count towards the residential Unit Equivalents of the Master Plan. Required ADA units do not count towards the residential Unit Equivalents.

~~[Support Uses and accessory meeting space use Unit Equivalents as outlined in Section 15-6-8(C) and (D) below.]~~

A. **CALCULATING RESIDENTIAL UNIT SQUARE FOOTAGE.** Unit square footage shall be measured from the interior of the exterior unit walls. All bathrooms, halls, closets, storage and utility rooms within a unit will be included in the calculation for square footage. ~~[Exterior hallways, common circulation and hotel use areas, such as lobbies, elevators, storage, and other similar Areas, will not be included.]~~

Common outdoor facilities, such as pools, spas, recreation facilities, ice-skating rinks, decks, porches, etc. do not require the Use of Unit Equivalents.

B. **LOCKOUTS.** For purposes of calculating Unit Equivalents, Lockouts shall be included in the overall square footage of a unit.

C. **SUPPORT COMMERCIAL WITHIN ~~[RESIDENTIAL MASTER PLANNED DEVELOPMENTS HOTELS]~~.** ~~[Within a Hotel or Nightly Rental condominium project, the]~~ The Floor Area of Support Commercial Uses ~~[uses]~~ may not exceed five percent (5%) of the total Floor Area of the approved residential Unit Equivalents or 5,000 square feet in total, whichever is lesser. Conventional Chain Businesses are prohibited as Support Commercial Use. Signage for Support Commercial Uses is limited to interior spaces. Marketing for Support Commercial Uses is limited to primary Uses on Site. ~~[Any unused Support Commercial floor area may be utilized for meeting space Uses.]~~ Support Commercial shall be included in Affordable Housing obligations and calculations subject to Housing Resolution No. 05-2021, as amended.

D. **~~[MEETING SPACE]~~.** ~~Within a Hotel or Condominium project, Floor Area of meeting space may not exceed five percent (5%) of the total Floor Area of the approved residential unit equivalents. Any unused meeting space floor area may be utilized for support commercial uses within a Hotel or Nightly Rental Condominium project.]~~

E. **COMMERCIAL UNIT EQUIVALENTS.** Commercial spaces, approved as a part of a Master Planned Development, shall be calculated on the basis of one (1) Unit Equivalent per 1000 square feet of Net Leasable Floor Area, exclusive of

common corridors, for each part of a 1,000 square foot interval. For example:  
2,460 square feet of commercial Area shall count as 2.46 Unit Equivalents.

- F. **RESIDENTIAL ACCESSORY USES.** ~~[Residential Accessory Uses include~~  
~~typical back-of-house uses and administration facilities that are for the benefit of~~  
~~the residents of a commercial Residential Use, such as a Hotel or Nightly Rental~~  
~~Condominium project and that are common to the residential project and are not~~  
~~located within any individual Residential unit.]~~ Residential Accessory Uses do not  
require the use of Unit Equivalents ~~[and include, but are not limited to, such Uses~~  
~~as]:~~  
  
~~[Ski/Equipment lockers~~  
  
~~Lobbies~~  
  
~~Registration~~  
  
~~Concierge~~  
  
~~Bell stand/luggage storage~~  
  
~~Maintenance Areas]~~  
  
Mechanical rooms and shafts limited to electrical, heating, ventilation, plumbing,  
and air conditioning equipment and ductwork necessary for the operation of the  
Building  
  
Laundry facilities ~~[and storage]~~  
  
Employee facilities related to the operation of the property  
  
~~[Common pools, saunas and hot tubs, and exercise areas not open to the public~~  
  
~~Telephone Areas~~  
  
~~Guest business centers~~

71 ~~Public restrooms~~

72 ~~Administrative offices]~~

73 Hallways and circulation

74 Elevators and stairways

75 Child Care Facilities

76 Enclosed Bicycle Storage that exceeds the requirements of Section 15-3-9

77 G. **RESORT ACCESSORY USES.** The following Uses are considered accessory for

78 the operation of a resort for winter and summer operations. These Uses are

79 ~~[considered typical back of house uses and are]~~ incidental to and customarily

80 found in connection with the principal Use or Building and are operated for the

81 convenience of the Owners, occupants, employees, customers, or visitors to the

82 principal resort Use. Accessory Uses associated with an approved summer or

83 winter resort do not require the Use of a Unit Equivalent, but shall be included in

84 the Affordable Housing obligations and calculations subject to Housing

85 Resolution No. 05-2021, as amended, and shall be calculated as part of the

86 parking demand requirements and traffic impact studies. These Uses and square

87 footages require Planning Commission review and approval. Resort Accessory

88 Uses may include~~[, but are not limited to, such Uses as]:~~

89 ~~[Information]~~

90 ~~[Lost and found]~~

91 First Aid Mountain patrol

92 ~~[Administration]~~

93 Maintenance ~~[and storage]~~ facilities

Emergency medical facilities

~~{Public lockers}~~

Public restrooms

Employee restrooms, employee locker rooms, and employee break rooms~~[-, and~~

~~employee dining areas]~~

~~[Ski school/day care facilities]~~ Employee and public Child Care Facilities

~~[Instruction facilities]~~

~~[Ticket sales]~~

Equipment/ski check

Circulation and hallways for these Resort Accessory Uses

## HISTORY

*Adopted by Ord. 02-07 on 5/23/2002*

*Amended by Ord. 06-22 on 4/27/2006*

*Amended by Ord. 09-10 on 3/5/2009*

*Amended by Ord. 10-14 on 4/15/2010*

*Amended by Ord. 11-05 on 1/27/2011*

## **15-2.7-2 Uses**

Uses in the ROS District are limited to the following:

### **A. ALLOWED USES.**

1. Conservation Activity

2. Food Truck Locations<sup>4</sup>

### **B. ADMINISTRATIVE CONDITIONAL USES<sup>1</sup>.**

1. Trail and Trailhead Improvement

- 117 2. Outdoor Recreation Equipment
- 118 3. Essential Municipal Public Utility Use, Service, or Structure, less than 600
- 119 sq. ft.
- 120 4. Accessory Building, less than 600 sq. ft.
- 121 5. Ski-related Accessory Building, less than 600 sq. ft.
- 122 6. Parking Area or Structure with four (4) or fewer spaces
- 123 7. Outdoor Event, Outdoor Music
- 124 8. Temporary Construction Improvement
- 125 9. Raising, grazing of horses
- 126 10. Raising, grazing of livestock
- 127 11. Anemometer and Anemometer Towers

128 C. **CONDITIONAL USES.**

- 129 1. Agriculture
- 130 2. Recreational Outdoor and Trail Lighting
- 131 3. Recreation Facility, Private<sup>5</sup>
- 132 4. Recreation Facility, Public
- 133 5. Recreation Facility, Commercial
- 134 6. Golf Course
- 135 7. Passenger Tramway Station and Ski Base Facility
- 136 8. Ski Tow Rope, Ski Lift, Ski Run and Ski Bridge
- 137 9. Recreational Sports Field
- 138 10. Skating Rink
- 139 11. Skateboard Park

- 140 12. Public and Quasi-Public Institution, Church, and School, Park, Plaza,  
141 Structure for Public Assembly, greater than 600 sq. ft.  
142 13. Essential Municipal Public Utility Use, Facility, Service, and Structure,  
143 greater than 600 sq. ft.  
144 14. Accessory Building, greater than 600 sq. ft.  
145 15. Ski-Related Accessory Building, greater than 600 sq. ft.  
146 16. Child Care Center  
147 17. Commercial Stable, Riding Academy  
148 18. Vehicle Control Gates<sup>2</sup>  
149 19. Resort Support, Commercial<sup>6</sup>  
150 20. Cemetery  
151 21. Parking Area or Structure with five (5) or more spaces  
152 22. Telecommunications Antenna<sup>3</sup>  
153 23. Mines and Mine Exploration  
154 24. Plant and Nursery stock products and sales  
155 25. Fences greater than six feet (6') in height from Final Grade.  
156 26. Small Wind Energy Systems

157 D. **PROHIBITED USES**. Any use not listed above as an Allowed or Conditional Use  
158 is a prohibited Use.

159 <sup>1</sup>Subject to an Administrative Conditional Use permit and/or Master Festival license review process.

160 Master Festivals are temporary in nature. All related temporary Structures are restricted to specific time  
161 frames and shall be removed at the expiration of the Master Festival permit.

162 <sup>2</sup>See Section 15-4-19 for specific review criteria for gates

163 <sup>3</sup>Subject to Section 15-4-14, Telecommunications



<sup>4</sup>The Planning Director or designee shall, upon finding a Food Truck Location in compliance with Municipal Code Section 4-5-6, issue the property owner a Food Truck Location administrative approval letter.

<sup>5</sup>See Section 15-4-22, Outdoor Pickleball Courts in Residential Areas

<sup>6</sup> Subject to provisions of Chapter 15-6 and Master Planned Development approval

## HISTORY

*Adopted by Ord. [00-51](#) on 9/21/2000*

*Amended by Ord. [04-08](#) on 3/4/2004*

*Amended by Ord. [09-10](#) on 3/5/2009*

*Amended by Ord. [2018-55](#) on 10/23/2018*

*Amended by Ord. [2022-08](#) on 4/28/2022*

*Amended by Ord. [2022-16](#) on 5/26/2022*

## **15-2.18-2 Uses**

Uses in the GC District are limited to the following:

### A. **ALLOWED USES.**

1. Secondary Living Quarters
2. Lockout Unit<sup>1</sup>
3. Accessory Apartment<sup>2</sup>
4. Nightly Rental
5. Home Occupation
6. Child Care, In-Home Babysitting<sup>3</sup>
7. Child Care, Family<sup>3</sup>
8. Child Care, Family Group<sup>3</sup>
9. Child Care Center<sup>3</sup>

188	10. Accessory Building and Use
189	11. Conservation Activity
190	12. Agriculture
191	13. Plant and Nursery Stock production and sales
192	14. Bed and Breakfast Inn
193	15. Boarding House, Hostel
194	16. Hotel, Minor
195	17. Hotel, Major
196	18. Office, General
197	19. Office, Moderate Intensive
198	20. Office, Intensive
199	21. Office and Clinic, Medical and Veterinary Clinic
200	22. Financial Institution without a drive-up window
201	23. <del>[Commercial, Resort Support]</del>
202	24. Retail and Service Commercial, Minor
203	25. Retail and Service Commercial, Personal Improvement
204	26. Retail and Service Commercial, Major
205	27. Cafe or Deli
206	28. Restaurant, General
207	29. Hospital, Limited Care Facility
208	30. Parking Area or Structure with four (4) or fewer spaces
209	31. Parking Area or Structure with five (5) or more spaces
210	32. Food Truck Location <sup>10</sup>

211	<b>B. <u>CONDITIONAL USES.</u></b>
212	1. Single Family Dwelling
213	2. Duplex Dwelling
214	3. Triplex Dwelling
215	4. Multi-Unit Dwelling
216	5. Group Care Facility
217	6. Public and Quasi-Public Institution, Church, and School
218	7. Essential Municipal Public Utility Use, Facility, Service, and Structure
219	8. Telecommunication Antenna <sup>4</sup>
220	9. Satellite Dish Antenna, greater than thirty-nine inches (39") in diameter <sup>5</sup>
221	10. Timeshare Project and Conversion
222	11. Timeshare Sales Office, off-site within an enclosed Building
223	12. Private Residence Club Project and Conversion <sup>8</sup>
224	13. Financial Institution with a Drive-up Window <sup>6</sup>
225	14. Retail and Service Commercial with Outdoor Storage
226	15. Retail and Service Commercial, Auto Related
227	16. Transportation Service
228	17. Retail Drive-Up Window <sup>6</sup>
229	18. Gasoline Service Station
230	19. Restaurant and Cafe, Outdoor Dining <sup>7</sup>
231	20. Restaurant, Drive-up Window <sup>6</sup>
232	21. Outdoor Event <sup>7</sup>
233	22. Bar

- 234 23. Sexually Oriented Businesses<sup>8</sup>
- 235 24. Hospital, General
- 236 25. Light Industrial Manufacturing and Assembly
- 237 26. Temporary Improvement<sup>7</sup>
- 238 27. Passenger Tramway and Ski Base Facility
- 239 28. Ski tow rope, ski lift, ski run, and ski bridge
- 240 29. Commercial Parking Lot or Structure
- 241 30. Recreation Facility, Public
- 242 31. Recreation Facility, Commercial
- 243 32. Recreation Facility, Private<sup>9</sup>
- 244 33. Indoor Entertainment Facility
- 245 34. Heliport
- 246 35. Temporary Sales Trailer in conjunction with an active Building permit for
- 247 the Site.<sup>8</sup>
- 248 36. Fences greater than six feet (6') in height from Final Grade<sup>7</sup>
- 249 37. Household Pet, Boarding<sup>7</sup>
- 250 38. Household Pet, Daycare<sup>7</sup>
- 251 39. Household Pet, Grooming<sup>7</sup>
- 252 40. Dwelling Unit, Fractional Use<sup>11</sup>
- 253 **41. Commercial, Resort Support<sup>12</sup>**

254 C. **PROHIBITED USES**. Any Use not listed above as an Allowed or Conditional Use

255 is a prohibited Use.

256 <sup>1</sup>Nightly rental of Lockout Units requires Conditional Use permit.

257 <sup>2</sup>Requires an Administrative Permit. See Section 15-4-7, Accessory Apartments.

258 <sup>3</sup>See Section 15-4-9, Child Care and Child Care Facilities.  
259 <sup>4</sup>See Section 15-4-14, Telecommunication Facilities.  
260 <sup>5</sup>See Section 15-4-13, Placement of Satellite Receiving Antennas.  
261 <sup>6</sup>See Section 15-2.18-6 for Drive-Up Window review.  
262 <sup>7</sup>Requires an Administrative Conditional Use permit.  
263 <sup>8</sup>See Section 15-4-16 for additional criteria.  
264 <sup>9</sup>See Section 15-4-22, Outdoor Pickleball Courts in Residential Areas.  
265 <sup>10</sup>The Planning Director or their designee shall, upon finding a Food Truck Location in compliance with  
266 Municipal Code Section 4-5-6, issue the property owner a Food Truck Location administrative approval  
267 letter.  
268 <sup>11</sup>Requires an Administrative Letter. See Section 15-4-23, Dwelling Unit, Fractional Use.  
269 <sup>12</sup> Subject to provisions of Chapter 15-6 and Master Planned Development approval

## 270 HISTORY

271 *Adopted by Ord. [00-51](#) on 9/21/2000*  
272 *Amended by Ord. [04-39](#) on 9/23/2004*  
273 *Amended by Ord. [06-76](#) on 11/9/2006*  
274 *Amended by Ord. [14-57](#) on 11/20/2014*  
275 *Amended by Ord. [2018-55](#) on 10/23/2018*  
276 *Amended by Ord. [2020-45](#) on 10/1/2020*  
277 *Amended by Ord. [2021-51](#) on 12/16/2021*  
278 *Amended by Ord. [2022-08](#) on 4/28/2022*  
279 *Amended by Ord. [2022-21](#) on 10/27/2022*

## 280 **15-2.19-2 Uses**

281 Uses in the LI District are limited to the following:

### 282 A. **ALLOWED USES.**

- 283 1. Secondary Living Quarters
- 284 2. Accessory Apartment<sup>1</sup>
- 285 3. Nightly Rental
- 286 4. Home Occupation
- 287 5. Child Care, In-Home Babysitting<sup>2</sup>
- 288 6. Child Care, Family<sup>2</sup>
- 289 7. Child Care, Family Group<sup>2</sup>
- 290 8. Child Care Center<sup>2</sup>
- 291 9. Agriculture
- 292 10. Plant and Nursery Stock
- 293 11. Office, General
- 294 12. Office, Moderate Intensive
- 295 13. Office, Intensive
- 296 14. Financial Institution without drive-up window
- 297 15. Retail and Service Commercial, Minor
- 298 16. Retail and Service Commercial, Personal Improvement
- 299 17. Retail and Service Commercial, Major
- 300 18. ~~Commercial, Resort Support~~
- 301 19. Hospital, Limited Care
- 302 20. Parking Area or Structure with four (4) or fewer spaces
- 303 21. Food Truck Location<sup>8</sup>

304 B. **CONDITIONAL USES.**

- 305 1. Multi-Unit Dwelling

- 306 2. Group Care Facility
- 307 3. Child Care Center<sup>2</sup>
- 308 4. Public and Quasi-Public Institution, Church, and School
- 309 5. Essential Municipal Public Utility Use, Facility, Service, and Structure
- 310 6. Telecommunication Antenna<sup>3</sup>
- 311 7. Satellite Dish Antenna, greater than thirty-nine inches (39") in diameter<sup>4</sup>
- 312 8. Accessory Building and Use
- 313 9. Raising, grazing of horses
- 314 10. Bed and Breakfast Inn
- 315 11. Boarding House, Hostel
- 316 12. Hotel, Minor
- 317 13. Private Residence Club Project and Conversion<sup>6</sup>
- 318 14. Office and Clinic, Medical and Veterinary Clinic
- 319 15. Financial Institutions with Drive-Up Window<sup>5</sup>
- 320 16. Retail and Service Commercial with Outdoor Storage
- 321 17. Retail and Service Commercial, Auto-Related
- 322 18. Transportation Services
- 323 19. Retail Drive-Up Window<sup>5</sup>
- 324 20. Gasoline Service Station
- 325 21. Café or Deli
- 326 22. Restaurant, General
- 327 23. Restaurant, Outdoor Dining
- 328 24. Restaurant, Drive-Up Window<sup>5</sup>

- 329 25. Outdoor Event<sup>6</sup>
- 330 26. Bar
- 331 27. Hospital, General
- 332 28. Light Industrial Manufacturing and Assembly Facility
- 333 29. Parking Area or Structure with five (5) or more spaces
- 334 30. Temporary Improvement<sup>6</sup>
- 335 31. Passenger Tramway Station and Ski Base Facility
- 336 32. Ski Tow Rope, Ski Lift, Ski Run, and Ski Bridge
- 337 33. Recreation Facility, Public
- 338 34. Recreation Facility, Commercial
- 339 35. Recreation Facility, Private<sup>7</sup>
- 340 36. Entertainment Facility, Indoor
- 341 37. Commercial Stables, Riding Academy
- 342 38. Heliports
- 343 39. Commercial Parking Lot or Structure
- 344 40. Temporary Sales Office, in conjunction with an active Building permit.
- 345 41. Fences and Walls greater than six feet (6') in height from Final Grade<sup>6</sup>
- 346 42. Household Pet, Boarding<sup>6</sup>
- 347 43. Household Pet, Daycare<sup>6</sup>
- 348 44. Household Pet, Grooming<sup>6</sup>
- 349 45. Commercial, Resort Support<sup>9</sup>

350 C. **PROHIBITED USES**. Any Use not listed above as an Allowed or Conditional Use  
351 is a prohibited Use.



352 <sup>1</sup>Requires an Administrative Permit. See Section 15-4-7, Accessory Apartments.  
353 <sup>2</sup>See Section 15-4-9, Child Care and Child Care Facilities.  
354 <sup>3</sup>See Section 15-4-14, Telecommunication Facilities.  
355 <sup>4</sup>See Section 15-4-13, Placement of Satellite Receiving Antennas.  
356 <sup>5</sup>See Section 15-2.19-8, Criteria for Drive-Up Windows.  
357 <sup>6</sup>Subject to an Administrative Conditional Use permit.  
358 <sup>7</sup>See Section 15-4-22, Outdoor Pickleball Courts in Residential Areas.  
359 <sup>8</sup>The Planning Director or their designee shall, upon finding a Food Truck Location in compliance with  
360 Municipal Code Section 4-5-6, issue the property owner a Food Truck Location administrative approval  
361 letter.  
362 <sup>9</sup>Subject to provisions of Chapter 15-6 and Master Planned Development approval

## 363 HISTORY

364 *Adopted by Ord. [00-51](#) on 9/21/2000*  
365 *Amended by Ord. [04-39](#) on 9/23/2004*  
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367 *Amended by Ord. [14-57](#) on 11/20/2014*  
368 *Amended by Ord. [2018-55](#) on 10/23/2018*  
369 *Amended by Ord. [2020-45](#) on 10/1/2020*  
370 *Amended by Ord. [2021-51](#) on 12/16/2021*  
371 *Amended by Ord. [2022-08](#) on 4/28/2022*

## 372 15-15-1 Definitions

373 . . . .

374 ~~[Commercial Use, Resort Support. A Commercial Use that is clearly incidental to, and~~  
375 ~~customarily found in connection with, the principal resort Use, and which is operated~~

376 ~~and maintained for the benefit or convenience of the Owner, occupants, employees,~~  
377 ~~customers of, or visitors to, the principal Use.]~~  
378 . . . .

Thursday, December 15, 2022, 10:48 AM

All,

Thank you for such a robust discussion on the potential amendments to the LMC regarding Support Commercial, Residential Accessory and Resort Accessory code. I applaud the level of scrutiny given to each category. The takeaway appears to be a strong desire by this Commission to tighten up the density/square footage allowances and have certain uses counted in the totals and therefore figured into the affordable housing requirement calculation. It will come as no surprise that I couldn't agree more.

Functional use vs Amenity - similar to a needs vs wants review. Hallways, stairs, elevators and related are all needs. Swimming pools, concierges, fitness centers and so on are all wants - certainly not required in order for the project to meet building code.

Revenue generation is another lens for review. If it's part of a line item or its own line item on an Income Statement, it's probably not a need. As pointed out by at least one commissioner, if its revenue generating it may down the road be available to the general public to attain additional revenues. Also, agree 100% with Commissioner Sigg on his assessment of Meeting Space - should always be counted in total density and square footage. As a former youth sports team travel manager for many years, I can assure you almost all hotels (both high and low end) often require money for a team to congregate in a "meeting space" to review game footage, eat dinner together or whatever. This would sometimes be waived if we booked enough rooms which is just another means for revenue generation. In addition, meeting space may also come with requirements such as on-site catering be used which is another revenue generating tool. Ski School is a desirable component of a resort, but is it not a cost of doing business in the ski industry which results in revenue generation? Ski School also increases the number of staff needed which in turn generates parking and traffic mitigation needs. As Assistant Director Ward pointed out, additional staffing requirements is another lens for review of a use. With regards to daycare, while it generates revenue, if it's for employee/staff use, it's help meeting a need and perhaps some allowance should be granted on a case-by-case review basis.

There are clearly some differences between a residential project versus a hotel and it makes identifying what should be considered a Residential Accessory Use murky at best when looking at the lists in the staff report. Perhaps part of the consideration should be "can the space be built into the individual unit"? For instance, laundry facilities can be placed in each individual condominium or apartment of a residential project and that square footage would count as part of each unit. If the developer doesn't put it in each unit and opts to make it a shared laundry facility under Residential Accessory

## Exhibit B: Public Input

Uses, why shouldn't that space still count towards total square footage? I understand it prevents them from having to drive to a laundromat, but again, the developer could have put laundry in each individual unit. Currently, the developer could instead make the individual units larger, then build shared laundry facilities and not have to count that square footage. This potentially increases the mass and bulk of a project as Assistant Director Ward pointed out in her staff report. A guest business center, public restrooms, concierge and more are all 'amenities' of a residential project (non-hotel). Commissioner Hall pointed out people will duck into a hotel to use the public restrooms but generally do not duck into a condo or apartment project.

Administrative offices or C-Suites are often quite magnificent. To Chair Suesser's point, perhaps this and similar uses should be counted or at a minimum a cap placed on the total square footage for this category of use.

Reverting back to prior code signage limiting to on-site visibility makes sense, but to a commissioner's point, if it's a Starbucks or something, word will get out without a sign and the public will use it.

Commissioner Frontero requested additional research on Support Commercial Use versus Resort Support Commercial which may serve to simplify the code and review process; it's a good idea.

In the end, none of the adjustments to the code discussed will actually remove the option to build a certain space into a project. It's a change in what gets counted in the total density/square footage and affordable housing requirement calculations.

Thank you all again for your hard work on these amendments; I look forward to the February discussion.

Sincerely,

Deb Rentfrow